

# United States District Court

DISTRICT OF Massachusetts

UNITED STATES OF AMERICA

v.

DOTTY PIERRE

**CRIMINAL COMPLAINT**

CASE NUMBER: 2005-MJ-0469-RBC

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 20, 2005 in Essex county, in the

District of Massachusetts defendant(s) did, (Track Statutory Language of Offense)  
 knowingly execute or attempt to execute a scheme or artifice to obtain any of the moneys, funds credits, assets, securities or other property owned by or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises; and  
 knowingly transfer, possess and use, without lawful authority, a means of identification of another person during and in relation to a violation of 18 U.S.C. Section 1344.

in violation of Title 18 United States Code, Section(s) 1344, 1028A

I further state that I am a(n) Special Agent of the FBI and that this complaint is based on the following facts:

See Attached Affidavit of Dennis Regan

Continued on the attached sheet and made a part hereof:  Yes  No

 Signature of Complainant

Sworn to before me and subscribed in my presence,

09-01-2005 at 5:01 pm

at

Boston Massachusetts

City and State

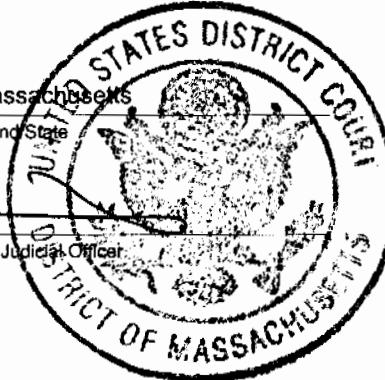
ROBERT B. COLLINGS  
UNITED STATES MAGISTRATE JUDGE

Name &amp; Title of Judicial Officer

This form was electronically produced by Elite Federal Forms, Inc.



Signature of Judicial Officer



## AFFIDAVIT

I, Dennis Regan, hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and have been so employed for over 13 years. I have been involved in numerous investigations involving white-collar crime, narcotics, violent crimes, and bank robberies and am a Certified Public Accountant. I have been assigned to the Boston Division of the FBI for the past year, and am currently assigned to the Economic Crimes Unit.

2. I am aware that Title 18 of the United States Code, Section 1344, makes it a crime for anyone to knowingly execute or attempt to execute a scheme or artifice to obtain any of the moneys, funds, credits, assets, securities or other property owned by or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises.

3. I am also aware that Title 18 of the United States Code, Section 1028A, makes it a crime for anyone to knowingly transfer, possess or use, without lawful authority, a means of identification of another person during and in relation to a violation of Title 18, United States Code, Section 1344, Bank Fraud.

4. I make this affidavit in support of a criminal complaint against DOTTY PIERRE ("PIERRE"). For the reasons detailed below, there is probable cause to believe that PIERRE committed Bank Fraud and Aggravated Identity Theft on or about July 20, 2005.

5. The facts stated herein are based on my own personal involvement in this investigation, my discussions with other law enforcement officers also involved in the investigation, my review of police reports, as well as interviews with victims and

witnesses to the matter contained herein. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts that I believe are sufficient to establish the requisite probable cause.

**OVERVIEW OF THE SCHEME:**

6. Based on the investigation to date, I believe that PIERRE is involved, along with several other individuals, in a scheme to buy properties through the use of mortgages obtained using the credit histories of innocent third parties. The group then "sells" those properties at a higher price using a different stolen identity to obtain a larger fraudulent mortgage. In this manner, the group can purchase a house for, say, \$300,000 financed largely with a mortgage, not make any payments on that mortgage, then a few months later "sell" the house to another person involved in the scheme who uses a stolen identity to "purchase" the house for, say, \$400,000, again financed largely with a fraudulently obtained mortgage. The group then repeats this process at a still higher amount, obtaining a still higher mortgage. By doing so, the group creates the appearance of a house rising in value, allowing them to obtain ever larger mortgages. The group makes as profit the difference in price between the original purchase price and the size of the largest fraudulent mortgage.

7. Both the banks who unwittingly provide these fraudulent mortgages, and the individual victims whose identities are stolen and upon whose credit history these mortgages are provided are victims of this scheme.

**SPECIFIC ACTIVITY CHARGED IN THE CRIMINAL COMPLAINT:**

8. On or about July 12, 2005, PIERRE, using the identity and social security number of a person with the initials D.L.W., submitted an application for two mortgage

loans from Countrywide Home Loans Inc. ("Countrywide") for a total of \$330,000 for the purchase of 6 Holyoke Street in Lynn, Massachusetts.

9. On or about July 20, 2005, using the identity of D.L.W., PIERRE purchased 6 Holyoke Street in Lynn, Massachusetts, financed entirely by the \$330,000 in loans from Countrywide.

10. On the date or about that she signed the loans, PIERRE asked the bank to allow Veronique Pierre to co-sign the loan. Consequently, the loans issued on or about July 20, 2005, were issued in the names of D.L.W. and Veronique Pierre.

11. The loan was provided by Countrywide based on the credit rating of D.L.W.

12. *Countrywide funded the loans with RBG*  
Countrywide used the deposits of Treasury Bank, N.A. and/or Countrywide Bank, both related corporate entities, to fund the loans made in this case. Both Treasury Bank, N.A. and Countrywide Bank are financial institutions whose deposits are insured by the Federal Deposit Insurance Corporation.

13. I have spoken with D.L.W., and confirmed that the name and social security number used to obtain the loans for 6 Holyoke Drive in Lynn, Massachusetts, belong to her. She stated that neither PIERRE nor anyone else had her permission to apply for a loan using her identity information.

14. In the process of signing the above-described mortgage, PIERRE provided the bank with a copy of a counterfeit Massachusetts temporary driver's license with PIERRE's photograph but in the name of D.L.W.

**EVIDENCE THAT DOTTY PIERRE IS THE PERPETRATOR OF THE FRAUD**

15. On or about July 22, 2005, PIERRE attempted to cash a check for \$4,654.95 drawn on the account of Mark S. Solomon and made out to D.L.W. As proof of her identity, she used the same temporary driver's license that she had provided to Countrywide to obtain the above-described mortgages.

16. PIERRE was arrested by the Somerville Police Department that day after police officers determined that the temporary driver's license that she had provided to cash the above-described check was false.

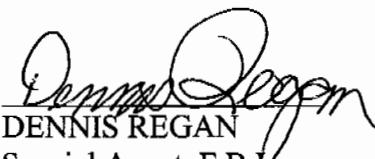
17. After first insisting to the Somerville Police that she was D.L.W., PIERRE ultimately admitted that she was DOTTY PIERRE.

18. Mark S. Solomon is the attorney whose law firm conducted the closing for the above-described mortgages. The \$4,654.95 check made out to D.L.W. had been provided as part of the closing process. This was money that had been set aside for closing fees, but was in excess of the amount of money the attorney actually charged for closing fees. It had been financed by the above-described mortgages.

19. It is not yet known whether Veronique Pierre is an alias or a real person.

**CONCLUSION:**

20. Based on the information set forth above, there is probable cause to believe that DOTTY PIERRE has committed Bank Fraud and Aggravated Identity Theft in violation of federal law, namely Title 18, United States Code, Sections 1344 and 1028A.



DENNIS REGAN  
Special Agent, F.B.I.

Subscribed and sworn to before me this 1<sup>st</sup> day of September 2005.

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ROBERT B. COLLINGS  
United States Magistrate Judge

Criminal Case Cover SheetU.S. District Court - District of MassachusettsPlace of Offense: \_\_\_\_\_ Category No. II Investigating Agency FBICity Lynn**Related Case Information:**County Essex

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number \_\_\_\_\_

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name DOTTY PIERRE Juvenile  Yes  No

Alias Name \_\_\_\_\_

Address 6 Holyoke Street, Lynn, MassachusettsBirth date (Year only): 1980 SSN (last 4 #): 8342 Sex F Race: BL Nationality: Haitian

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Seth Berman Bar Number if applicable 629332Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_Matter to be SEALED:  Yes  No Warrant Requested  Regular Process  In Custody**Location Status:**

Arrest Date: \_\_\_\_\_

 Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_. Already in State Custody \_\_\_\_\_  Serving Sentence  Awaiting Trial On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document:  Complaint  Information  IndictmentTotal # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: September 1, 2005 Signature of AUSA: Seth Berman

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant DOTTY PIERRE

**U.S.C. Citations**

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. § 1344</u>	<u>Bank Fraud</u>	<u>1</u>
Set 2 <u>18 U.S.C. § 1028A</u>	<u>Aggravated Identity Theft</u>	<u>2</u>
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

**ADDITIONAL INFORMATION:**